

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 22

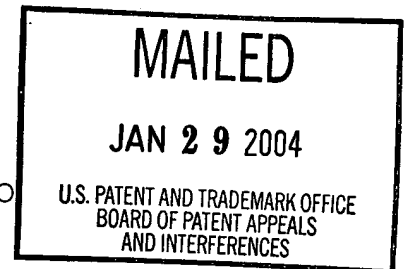
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DANILO PAU, ROBERTO SANNINO,
ANDREA CAPASSO and PASQUALINA FRAGNETO

Application No. 09/390,554

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER



This application was received at the Board of Patent Appeals and Interferences on December 30, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

Appellant filed an Information Disclosure Statement (Paper No. 8) September 3, 1999. There is no indication on the record that the Information Disclosure Statement was considered by the

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Examiner. A written communication notifying appellant of the Examiner's consideration is required.

Accordingly, it is

ORDERED that the application is returned to the examiner for:

1) appropriate consideration of the Information Disclosure Statement dated September 3, 1999;

2) the examiner to sign the form 1449, Information Disclosure Statement dated September 3, 1999;

3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



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RA04-0185

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